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**Testimony on SB346 [Shockley], assuring public funds
aren't used to pay illegal aliens**

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To the Montana Senate Judiciary Committee:

I'm a native of Chicago, but I received a thorough education about illegal immigration during 1996 – 2005, living in Redondo Beach, CA, near the LA airport. We have let illegal immigration grow to be such a huge problem, nationwide, that it must now be tackled with many different approaches, simultaneously.

Thus I heartily support SB346, which is one promising approach. This bill will help to reduce the availability of jobs for illegal aliens, which is perhaps the strongest magnet drawing them to the U.S.. Specifically, it will keep public funds from being used to pay illegal aliens' wages; contracts that involve their labor will be void.

SB346 is clearly sensible on a number of grounds:

- Illegal immigration is ILLEGAL (8 USC 1325a → misdemeanor for the first offense, felony thereafter), and Montana should take obvious steps to discourage it.
- Contractors who employ illegal aliens because they're "cheap" labor have an unfair advantage over other bidders who want to play by the rules and pay fair wages and benefits to legal American workers.
- The labor isn't actually cheap, because the rest of us have to pick up the costs of social services (especially medical care, housing, and education) for illegal aliens and their families.
- The whole phenomenon breeds cynicism and contempt for the rule of law, which is the foundation of our civilization.

I'd also like to provide a larger perspective on this bill before you today. As revealed by the Chicago Council on Foreign Relations in a 2002 poll, there is a huge disconnect between average Americans and their national leaders (perhaps better: "leaders") on the subjects of legal and illegal immigration. According to a paper published by the Center for Immigration Studies following up on that poll,

** When asked a specific question about whether legal immigration should be reduced, kept the same, or increased, 55% of the public said it should be reduced, and 27% said it should remain the same. In contrast, only 18% of opinion leaders said it should be reduced and 60% said it should remain the same. There was no other issue-specific question on which the public and elites differed more widely.*

** The enormous difference between elite and public opinion can also be seen on the issue of illegal immigration. The survey found that 70% of the public said that reducing illegal immigration should be a "very important" foreign-policy goal of the United States, compared to only 22% of elites.*

Congress, especially the U.S. Senate, is wildly out-of-touch with the citizens they represent. My sense is that the *part-time, citizen* legislators in states like Montana are better situated to understand the necessity of passing bills such as SB346.

[Possible enhancement of SB346 to include checks of state employees?] See attached

<http://www.azcentral.com/news/columns/articles/1016ruelas1016.html>

State effort proves that Social Security info can be verified

Richard Ruelas
Arizona Republic columnist
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Quietly, for the past year, state officials tucked away in a non-descript building near the state Capitol have waged a small battle against illegal immigration.

What they do seems pretty simple: They check state employees' Social Security numbers to make sure they match those on file in Washington.

But that monthly running of the numbers might prove significant in the debate over illegal immigration in Arizona.

Because it knocks down a major argument that kept state Republicans from supporting legislation last year that would crack down on employers of illegal immigrants.

Namely, it shows the database works.

Arizona started checking the names and Social Security numbers of its employees in December after Gov. Janet Napolitano signed an executive order mandating the program.

Since then, every five weeks or so, the state Department of Administration has electronically sent the names and numbers of all 42,000 state employees through the Social Security Number Verification program.

So far, only 409 people have been kicked back as "no-matches." That's an average of about 40 a month. Alan Eckert, a department spokesman, said the number has gone down each time.

Those 409 "no-matches" do not mean that Arizona was employing people here illegally. The most common reason for a "no-match" is an employee getting married and still having her maiden name on file with Social Security. Or using a middle name as his or her first name.

Employees who don't match are told to fix the problem. Eckert said the state doesn't know how many people have quit because they couldn't produce a verifiable Social Security number.

But the main lesson is this: More than 99.9 percent of the employees were verified with no hitch. The state didn't devolve into chaos.

The supposed inaccuracy of the database was the main reason the Arizona Chamber of Commerce opposed a law that would have made employers use it.

Napolitano said the state has now shown the reliability of the database. "It seemed to me we needed to lead by example," she said.

Now that it's a proven program, Napolitano said she won't let Republicans hide behind the chamber's excuses. "I'll insist that if (lawmakers) are going to continue to send me immigration-related matters, they need to include realistic employer sanctions," she said.

By the time the legislative session opens in January, "we'll have by then, over a year's worth of actual real experience," Napolitano said. "And we're one of the largest employers in the state."

Turns out she won't get much argument from Jim Weiers, who most likely will return as House speaker next year.

"I think it needs to be expanded," Weiers said, "based on the fact we've done it without the chaos predicted."

Weiers said he would recommend that Arizona's cities and counties also use the program and possibly mandate that any company that does business with the state also verify its employees.

He predicted that the Chamber of Commerce would still oppose any expansion of the program, but the state now has data to rebut its arguments.

"People do not like change," Weiers said, "but this is what the people are demanding."

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